

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2263**
Yasuyuki MATSUURA et al. : Attorney Docket No. 2003_0858A
Serial No. 10/602,882 : Group Art Unit 2621
Filed June 25, 2003 : Examiner Daniel T. Tekle
RECORDING APPARATUS AND : **Mail Stop: Amendment**
COMPUTER-READABLE PROGRAM

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.133(b), the Applicants make of record the Telephone Interview conducted in the above-identified application. The Telephone Interview conducted between Examiner Tekle of Art Unit 2621 and the Applicants' representative on August 6, 2008.

During the Interview, the present invention as recited in independent claim 1 (i.e., as an exemplary independent claim) was discussed in detail. It was noted that the present invention is directed to performing continuous recording (commonly termed "24-hour recording") by using a random-access recording medium, such as a hard disk, as a ring buffer. The ring buffer stores, from among vast amounts of input data, the latest data in the recording medium (having limited storage capacity) by circulating a pointer which indicates a location of writing. With use of the recording medium as a ring buffer by the continuous recording unit, a plurality of broadcast programs corresponding to the time period between N hours ago and the current time are recorded on the recording medium. Thus, even if a user misses an opportunity to record a broadcast program, the broadcast program exists in the ring buffer on the recording medium without being overwritten until N hours of time elapse after the broadcast begins.

Additionally, a receiving unit receives a specification from the user on a period of time existing from N hours ago to the current time. Therefore, the user is still able to specify programs, which exist in the ring buffer on the recording medium without being overwritten even after the broadcast programs have started, for storing.

With the continuous recording unit and receiving unit of the present invention (as recited in independent claim 1), even when the user is not able to program or operate the recording apparatus before a broadcast program starts, it is possible to retain a broadcast program as long as the broadcast program remains in the ring buffer without being overwritten.

During the Interview, the Orr reference was also discussed in detail. It was noted that Orr discloses generally a method and apparatus for cache management for a digital VCR archive, wherein an apparatus marks files within a content archive. Additionally, Orr discloses a recording apparatus for archiving content that includes the use of a database. This database is designed to manage content by using SHOW TAG, PROTECTED FIELD, and PLAY FIELD (see e.g., FIG 3) related to the content.

Accordingly, it was asserted that the present invention, as recited in claim 1 (as amended), is distinguishable from Orr for at least the reasons noted below.

First, the targets for overwriting are different in Orr. In Orr, the targets for overwriting are selected from content whose SHOW is registered in the content database 150. The target content has already been watched, and the PROTECTED FIELD has not been attached to the target content (214, 216, and 218 of FIG. 4). The content which has already been watched and to which PROTECTED FIELD has not been attached are written to DELETABLE SHOW and are targeted for deletion (overwriting). However, content which has not been watched is never targeted for overwriting (214, 216, and 218 of FIG 4).

On the other hand, in the present invention (as recited in claim 1) the continuous recording by the continuous recording unit receives a broadcast, generates a new video unit from the received broadcast, and overwrites the newly-generated video unit on the ring buffer. The continuous recording by the continuous recording unit overwrites what has been recorded regardless of whether it has been already watched or not, unless the protective attribute has been

set.

Second, in Orr, the content of the protective attributes is different. In Orr, the protective attributes are attached to exclude the content from being added to DELETABLE SHOW and archives them (214, 216, and 218 of FIG 4). In Orr, the content is not stored in the ring buffer and; thus, is not targeted for overwriting. Accordingly, the protective attributes in Orr are not considered equivalent to the protective attribute of the present invention (as recited in claim 1), which protects the content from overwriting by the continuous recording unit.

Third, in Orr, the selectors of the protective attribute are different. According to column 6 lines 33-48 Orr, the VBI information may be replaced with a Web based EPG, DTV data packets, or other program information, which can be selected by setting the recorder 10 to perform the selection.

At the conclusion of the Telephone Interview, the Examiner indicated that the further consideration would be given to the present invention based on the arguments presented during the Telephone Interview, and the arguments presented in the Amendment filed on June 17, 2008. The Examiner also indicated that further search and consideration would be necessary before making a final determination regarding the allowability of the claims.

Based on the results of the Telephone Interview, the Applicants respectfully request favorable consideration of the arguments presented in the Amendment filed on June 17, 2008, and withdrawal of the rejections in the Office Action dated March 17, 2008.

If the Examiner feels there are any issues remaining which must be resolved before the application can be passed to issue, the Examiner is respectfully requested to contact the undersigned by telephone in order to resolve such issues.

Respectfully submitted,

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